





Robert Greene Sterne Edward J. Kessler Jorge A. Goldstein David K.S. Cornwell Robert W. Esmond Tracy-Gene G. Durkin Michele A. Cimbala Michael O. Lee Robert C. Millonia Judith U. Kim

Patrick E. Garrett Jeffrey T. Helvey Heidi L. Kraus Eldora L. Ellison Thomas C. Fiala Albert L. Ferro* Donald R. Banowit Peter A. Jackman Teresa U. Medler Jeffrey S. Weaver Kendrick P. Patterson Vincent L. Capuano Brian J. Del Buono Virgil Lee Beaston Theodore A. Wood Elizabeth J. Haanes Joseph S. Ostroff Frank R. Cottingham Christine M. Lhuller Rae Lynn P. Guest

July 1, 2005

Michael J. Mancuso Bryan S. Wade Aaron L. Schwartz George S. Bardmesser Daniel A. Klein Jason D. Fisenherr Jason D. Eisenberg Michael D. Specht Andrea J. Kamage Tracy L. Muller Jon E. Wright LuAnne M. DeSantis Michael G. Penn* Shannon A. Carroll* Wesley W. Jones* Matthew E. Kelley* Ann E. Summerfield Aric W. Ledford Helene C. Carlson Cynthia M. Bouchez Timothy A. Doyle* Gaby L. Longsworth Lori A. Gordon Nicole D. Dretar

Jyoti C. Iyer Laura A. Vogel

Registered Patent Agents • Karen R. Markowicz Karen R. Markowicz
Nancy J. Leith
Matthew J. Dowd
Katrina Yujian Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Teeffea S. Lundgren Jeffrey S. Lundgren Victoria S. Rutherford

Michelle K. Holoubek Simon 1 Elliott Julie A. Heider Mita Mukheriee Scott M. Woodh Christopher I. Walsh Jeffrey Mills

Of Counsel Kenneth C. Bass III Evan R. Smith Marvin C. Guthrie

*Admitted only in Maryland *Admitted only in Virginia

WRITER'S DIRECT NUMBER: (202) 772-8587 INTERNET ADDRESS: PGARRETT@SKGF.COM

Art Unit 2685 Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

U.S. Utility Patent Application

Appl. No. 09/770,675; Filed: January 29, 2001

Wireless and Wired Cable Modem Applications of

Universal Frequency Translation Technology

Inventor:

Sorrells et al.

Our Ref:

1744.0140005

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Third Supplemental Information Disclosure Statement;
- 2. Form PTO-1449 listing twenty (20) documents and accompanied by one (1) document; and
- 3. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

Sterne, Kessler, Goldstein & Fox p.l.l.c.

Patrick E. Garren

Attorney for Applicants Registration No. 39,987

PEG/NDD/sic **Enclosures**

417019 1.DOC

Sterne, Kessler, Goldstein & Fox PLLC.: 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f 202.371.2540: www.skqf.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sorrells et al.

Appl. No.: 09/770,675

Filed: January 29, 2001

For: Wireless and Wired Cable Modem

Applications of Universal

Frequency Translation Technology

Confirmation No.: 5430

Art Unit: 2685

Examiner: Tran, Pablo N.

Atty. Docket: 1744.0140005

Third Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Second Supplemental Information Disclosure Statement filed on March 1, 2005 in connection with the above-captioned application.

Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

Applicants provide the following comments regarding the documents:

Document AQ59 was cited in a Notice of Allowance in related U.S. Patent Application No. 10/290,323, filed November 8, 2002, entitled "Method and Apparatus for DC Offset Removal in a Radio Frequency Communication Channel," directed to related subject matter.

Documents AE65, AE66, and AF66 are co-owned patents which are directed to related subject matter.

Documents AF65-AI65 and AA66-AD66 were cited in an Office Action in related U.S. Patent Application No. 09/855,851, filed May 16, 2001, entitled "Apparatus, System, and Method for Down-Converting and Up-Converting Electromagnetic Signals," directed to related subject matter. Also cited in said Office Action were U.S. Pat. Nos. 5,465,415, 6,049,706, 6,061,551, 6,580,902, 6,687,493, and 6,813,485, which have already been cited in the present application.

Document AG66 was cited in an Office Action in related U.S. Patent Application No. 09/550,642, filed April 14, 2000, entitled "Method And System For Down-Converting An Electromagnetic Signal, And Transforms For Same," directed to related subject matter. Also cited in said Office Action were U.S. Pat. Nos. 5,678,226 and 6,094,084, which have already been cited in the present application.

Document AH66 was cited in an Office Action in related U.S. Patent Application No. 09/476,092, filed January 3, 2000, entitled "Analog Zero If Fm Decoder And Embodiments Thereof, Such As The Family Radio Service," directed to related subject matter. Also cited in said Office Action were U.S. Pat. Nos. 5,600,680 and 5,606,731, which have already been cited in the present application.

Documents AI66 and AA67-AC67 were cited in an Office Action in related U.S. Patent Application No. 09/567,977, filed May 10, 2000, entitled "Optical Down-Converter Using Universal Frequency Translation Technology," directed to related subject matter. Also cited in said Office Action was Stewart, R.W. and Pfann, E., "Oversampling and sigma-delta strategies for data conversion," *Electronics & Communication Engineering Journal*, IEEE, pp. 37-47 (February 1998)., which has already been cited in the present application.

Documents AD67 and AE67 were cited in a Notice of Allowance in related U.S. Patent Application No. 09/632,855, filed August 4, 2000, entitled "Wireless Local Area Network (WLAN) Using Universal Frequency Translation Technology Including Multi-Phase Embodiments," directed to related subject matter.

This statement should not be construed as a representation that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this
Information Disclosure Statement was cited in a communication from a foreign

Atty. Docket: 1744.0140005

-4-

patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.

- 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than

three months prior to the filing of this Information Disclosure Statement.

37 C.F.R. § 1.97(e)(2). c. Attached is our PTO-2038 Credit Card Payment Form in the amount of in payment of the fee under 37 C.F.R. § 1.17(p). 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition: a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1). b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

5. The document(s) was/were cited in a search report by a foreign patent office in a
counterpart foreign application. Submission of an English language version of
the search report that indicates the degree of relevance found by the foreign office
is provided in satisfaction of the requirement for a concise explanation of
relevance. 1138 OG 37, 38.
6. A concise explanation of the relevance of non-English language documents
appears below:
∑ 7. A copy of document AQ59 is enclosed. However, in accordance with 37 C.F.R.
§ 1.98(a)(2), copies of the U.S. patents and patent application publications cited
on the attached Form PTO-1449 are not enclosed.
8. Copies of the documents were cited by or submitted to the Office in an IDS that
complies with 37 C.F.R. § 1.98(a)-(c) in Application No, filed
, which is relied upon for an earlier filing date under 35 U.S.C.
§ 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
9. It is expected that the examiner will review the prosecution and cited art in the
parent application no, in accordance with MPEP 2001.06(b), and
indicate in the next communication from the office that the art cited in the earlier
prosecution history has been reviewed in connection with the present application.
It is respectfully requested that the Examiner initial and return a copy of the
enclosed Form PTO-1449, and indicate in the official file wrapper of this patent
application that the documents have been considered

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Patrick E. Garrett Attorney for Applicants Registration No. 39,987

Date:

1100 New York Avenue, N.W. Washington, D.C. 20005-3934

(202) 371-2600

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THIRD SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

	Page 1 of 3
ATTY. DOCKET NO.	APPLICATION NO.
1744.0140005	09/770,675
FIRST NAMED INVENTOR	
David E SORRELLS	

DATE CONSIDERED

INFORMATION DISCLOSURE STATEMENT **FILING DATE ART UNIT** January 29, 2001 2685 **U.S. PATENT DOCUMENTS EXAMINER** DOC. DATE NAME CLASS DOCUMENT NUMBER SUB-CLASS FILING DATE INITIAL REF. AA AB AC AD AE65 6,853,690 B1 02/2005 Sorrells et al. AF65 4,789,837 12/1988 Ridgers 05/1997 AG65 5,634,207 Yamaji et al. AH65 5,642,071 06/1997 Sevenhans et al. 04/2001 AI65 6,211,718 B1 Souetinov **FOREIGN PATENT DOCUMENTS** DOC. EXAMINER DOCUMENT NUMBER DATE **COUNTRY** CLASS SUB-CLASS **TRANSLATION** REF. INITIAL Yes ΑJ No Yes ΑK No Yes ΑL No Yes AM No OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.) **EXAMINER** DOC. CITATION INITIAL REF. ΑN AO ΑP Hellwarth, G.A. and Jones, G.D, "Automatic Conditioning of Speech Signals," IEEE Transactions on Audio AQ59 and Electroacoustics, Vol. AU-16, No. 2, pp. 169-179 (June 1968). AR

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

EXAMINER

FORM PTO-1449

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

	Page 2 of 3
ATTY. DOCKET NO.	APPLICATION NO.
1744.0140005	09/770,675
FIRST NAMED INVENTOR	

David F. SORRELLS

<u>INFO</u>	INFORMATION DISCLOSURE STATEMENT			FILING DATE ART UNIT			
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EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA66	6,212,369 B1	04/2001	Avasarala			
	AB66	6,308,058 B1	10/2001	Souetinov et al.			
	AC66	6,633,194 B2	10/2003	Arnborg et al.			
	AD66	2001/0036818 A1	11/2001	Dobrovolny			
	AE66	6,873,836 B1	03/2005	Sorrells et al.			
	AF66	6,879,817 B1	04/2005	Sorrells et al.			
	AG66	6,057,714	05/2000	Andrys et al.			
	AH66	2003/0081781 A1	05/2003	Jensen et al.			
	A166	5,994,689	11/1999	Charrier			
			FOREIGN P	ATENT DOCUMENTS	•		•
EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ						Yes No
	AK						Yes No
	AL						Yes No
	АМ						Yes No
		OTHER DOCUMENTS	(Including	Author, Title, Date, Pe	rtinent Pages,	etc.)	
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THIRD SUPPLEMENTAL

	Page 3 of 3
ATTY. DOCKET NO.	APPLICATION NO.
1744.0140005	09/770,675

FIRST NAMED INVENTOR
David F. SORRELLS

INFO	THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT			David F. SORRELLS			
IN CHARACTOR DISCLOSURE STATEMENT			FILING DATE January 29, 2001	2685	ART UNIT 2685		
			U.S. PAT	ENT DOCUMENTS			
EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA67	6,512,544 B1	01/2003	Merrill et al.			
	AB67	6,628,328 B1	09/2003	Yokouchi et al.			
	AC67	6,801,253 B1	10/2004	Yonemoto et al.			
	AD67	3,737,778	06/1973	Van Gerwen et al.			
	AE67	4,286,283	08/1981	Clemens			
	AF						
	AG						
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	Al						
			FOREIGN P	PATENT DOCUMENTS			
EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ						Yes No
	AK						Yes No
	AL						Yes No
	АМ						Yes No
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